

February 23 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. **DA 10-0077**

**FILED**

**FEB 23 2010**

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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Frank D'Vorak, dba Majestic Cove Park  
Appellant,

v.

MOTION FOR EXTENSION OF TIME

Tamara Copley


Appellee.

Counsel for the above named Appellant, Frank D'Vorak , hereby moves the court for an extension of time for Frank D'Vorak to either pay the filing fees or file his affidavit of inability to pay by five days. Frank D'Vorak informed counsel today that he was unable to come up with the filing fees for the two appeals under this caption and counsel was unable to obtain an affidavit from Appellant Frank D'Vorak.

Wherefore, counsel for Frank D'Vorak prays that Appellant be granted an additional five days to either pay the required filing fees or file his affidavit of inability to pay.

Dated this 22<sup>nd</sup> day of February, 2010.

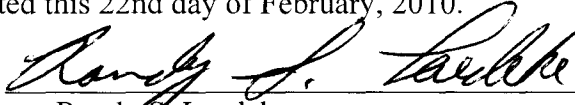
By

  
\_\_\_\_\_  
Randy S. Laedeke, Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Dated this 22nd day of February, 2010.

By   
Randy S. Laedeke

Clerk of District Court  
P.O. Box 35030  
Billings, MT 59107

Gregory Tomocich  
P.O. BOX 20493  
Billings, MT 59104